

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ALLSTATE INSURANCE COMPANY, et al.,

Plaintiff(s),

v.

OBTEEN N. NASSIRI, et al.,

Defendant(s).

Case No.2:20-CV-425 JCM (DJA)

ORDER

Presently before the court are defendants Obteen Nassiri and Med Ed Labs (“defendants”)’s respective answers to plaintiff Allstate Insurance Company (“plaintiff”)’s first amended complaint. (ECF Nos. 139; 140).

Plaintiff’s first amended complaint did not include a jury demand. Accordingly, plaintiff requested that the trial scheduled for March 25, 2024, be a bench trial.

The court informed the parties on March 1, 2024, that this case would proceed with a bench trial, as neither side filed a jury demand.

In the early morning hours of March 2, 2024, defendants filed their answers to plaintiff’s first amended complaint, more than four years after the first amended complaint was filed, demanding a jury trial. (*Id.*).

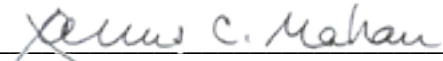
Pursuant to Federal Rule of Civil Procedure 38, a party waives a jury trial unless its demand is properly served and filed. Fed. R. Civ. P. 38(d).

Defendants filed their answers *after* the court instructed them that this case would proceed with a bench trial. Defendants’ jury demand is thus improper and in violation of Federal Rule of

1 Civil Procedure 38(d).

2 IT IS HEREBY ORDERED that the court will hold a bench trial in this matter on March
3 25, 2024, at 9:00 a.m., preceded by calendar call on March 20, 2024, at 1:30 p.m. in LV Courtroom
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6 DATED March 4, 2024.

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9 UNITED STATES DISTRICT JUDGE
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